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4 Attorneys for STATE OF ARIZONA

SUPERIOR COURT
YAVAPAI COUNTY, ARIZONA ✓

2009 SEP 28 PM 3:44

JEANNE THOMS, CLERK

Shaunna Kelbaugh

BY: _____

5 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

6 IN AND FOR THE COUNTY OF YAVAPAI

7 STATE OF ARIZONA,

Cause No. P1300CR0020081339

8 Plaintiff,

Division 6

9 vs.

CERTIFICATE OF JUDGE
REQUESTING ATTENDANCE OF
OUT-OF-STATE WITNESS

10 STEVEN CARROLL DeMOCKER,

11 Defendant.

12
13 I, Thomas B. Lindberg, Judge of the Superior Court of the State of Arizona, in and for the
14 County of Yavapai, a Court of Record, DO HEREBY CERTIFY:

- 15 1. That on February 6, 2009, an Indictment was filed charging, STEVEN CARROLL
16 DEMOCKER, with one (1) count First Degree Murder, a class 1 felony, and one (1)
17 count First Degree Burglary, a class 2 felony, in CR 2008-1339.
- 18 2. That in conjunction with said prosecution, there is now pending a probable cause
19 hearing regarding death penalty aggravators to commence on October 20, 2009, in the
20 Superior Court of the State of Arizona in and for the County of Yavapai.
- 21 3. That the undersigned is informed by Affidavit of Joseph C. Butner, Deputy County
22 Attorney of the County of Yavapai, State of Arizona, of his request for attendance of
23 an out-of-state witness in said proceeding, to-wit: TWILA GRAHAM and that she be
24 required to bring with her: 1) any and all records of accounts including monthly
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DIVISION 6

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account statements, signers on account, beneficiaries, for Virginia Carol Kennedy, date of birth July 25, 1954, from January 1, 2007 through and including September 30, 2008, including all distributions made during the afore mentioned time frame and the amount in the account at the time the account was closed; 2) any and all emails and other interoffice communication regarding the accounts of Virginia Carol Kennedy, date of birth July 25, 1954, directed to TWILA GRAHAM or the Nashville, Tennessee UBS office from the Prescott, Arizona or Phoenix, Arizona UBS Office AND any and all emails or other interoffice communication from TWILA GRAHAM or the Nashville, Tennessee office to the Prescott, Arizona or Phoenix, Arizona UBS Office INCLUDING AN AUGUST 28, 2008, EMAIL FROM LIZ MINNARD FOM THE PHOENIX, ARIZONA UBS OFFICE TO TWILA GRAHAM AND/OR THE NASHVILLE, TENNESSEE UBS OFFICE, from January 1, 2007 through and including September 30, 2008.

4. Said witness is necessary and material and required by the State of Arizona to appear at said hearing commencing on October 20, 2009. Her anticipated testimony date is October 20, 2009.
5. That the witness's attendance and testifying in the prosecution will not cause undue hardship to said witness.
6. That the said witness will be required to travel a total of 2 days and attend court as a witness at said probable cause hearing for 1 day making a total of 3 days.
7. That if the said witness is subpoenaed or summoned to attend and testify in this State, she shall be provided a ticket for round trip air travel and the sum of \$15.00 for

Office of the Yavapai County Attorney

255 E. Gurley Street, Suite 300

Prescott, AZ 86301

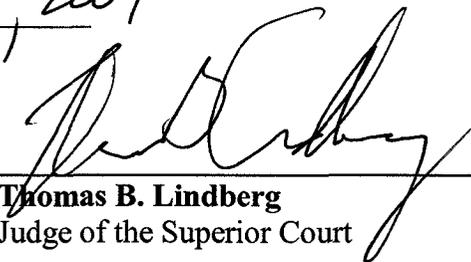
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necessary and reasonable travel at either end of the flight, as required by A.R.S. 13-4093(C).

8. That the State of Arizona has enacted and is a party to the Uniform Act to Secure the Attendance of Witnesses From Without the State in Criminal Proceedings, pursuant to A.R.S. 13-4093.
9. That if the said TWILA GRAHAM comes into the State of Arizona in obedience to a subpoena *duces tecum* or summons directing her to attend and testify for the State of Arizona in the above entitled action the law of the State of Arizona (A.R.S. 13-4093) and of any other state through which said witness may be required to pass by the ordinary course of travel to attend the said trial, will give her protection from arrest, or the service of process, either civil or criminal, in connection with matters which arose before her entrance into said State of Arizona pursuant to said subpoena or summons.
10. That it is recommended that the witness not be taken into custody, but be permitted to voluntarily present herself.
11. That this Certificate is made for the purpose of being presented to a Judge of the Circuit Court for 20th Judicial District, in and for the County of Davidson, State of Tennessee where the said witness now is, upon proceedings to compel the said witness to attend and testify in said proceedings in Yavapai County, State of Arizona.

DATED: September 28, 2009



Thomas B. Lindberg
Judge of the Superior Court